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Pennsylvania. Dept. of Factory Inspection.

Instructions to deputies

[Harrisburg?]

1903

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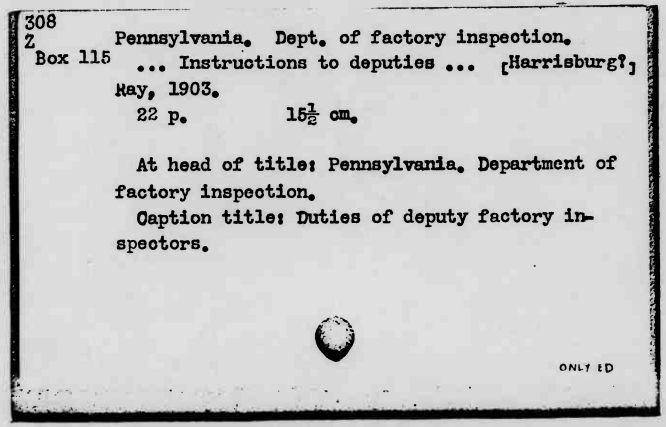

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Pennsylvania. Dept. of factory inspection.
... Instructions to deputies ... [Harrisburg?]
May, 1903.
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PENNSYLVANIA.

DEPARTMENT

OF

FACTORY INSPECTION.

INSTRUCTIONS TO DEPUTIES.

J. C. DELANEY,
FACTORY INSPECTOR.

WM. STANLEY RAY,
STATE PRINTER OF PENNSYLVANIA,
1903.

M.W.L. Study 1,3,1,2,5

DUTIES

OF

DEPUTY FACTORY INSPECTORS.

AS TO EMPLOYMENT OF CHILDREN.

Inspectors must not allow the employment of children under the age of thirteen years in any factory, manufacturing or mercantile industry, laundry, workshop, renovating works or printing office. Whenever any child under the age of thirteen years is discovered in any of the above named establishments, except in street attire, it is the duty of the Inspector to cause the immediate dismissal of that child, the presumption of law being that the child is therein employed.

Inspectors must not allow any child under the age of fourteen years to have charge of an elevator, nor permit the employment of any child under sixteen years in the cleaning of machinery in motion.

Inspectors must not allow the employment of children between the ages of thirteen and sixteen in any of the above establishments unless there is on file in said establishment an affidavit setting forth the age,

date and place of birth of said child, which affidavit shall have been made by the child's parent or guardian.

If any child between the ages of thirteen and sixteen has obtained employment by fraudulent representations as to age or ability to read and write the English language, the Inspector shall order the immediate dismissal of said child from said employment.

Inspectors shall enforce the law providing that a printed list of the names of children under sixteen years of age, (to contain the names and ages of such children), must be posted and kept in every room where such children are employed.

AS TO ADULT WOMEN AND MINORS.

Inspectors shall not grant permits allowing adult women, or minors of either sex, to employ themselves or to be employed by others in any of the aforesaid establishments for a longer period than twelve hours in any day or sixty in any week. Whenever any Inspector has reason to believe that employers, or adult women or minors, being employes, are violating the law in this respect, the Inspector shall investigate the matter promptly, and if satisfied the adult women or minors are working overtime, or at night time after being employed the maximum number

of hours during the day in said establishments, Inspectors shall cause the prompt cessation of such illegal employment. Inspectors will notice that detention for any purpose of any adult woman or minor in any of the establishments aforesaid, is equivalent to employment, and it is to be judged as such.

AS TO SUITABLE SEATS.

Inspectors shall make it their duty to see that in all the aforesaid establishments, the women and girls are provided with suitable chairs or stools, and that they be permitted to use the same for purposes of resting themselves at such times as when not necessarily engaged in the active duties for which they are employed.

AS TO WASH-ROOMS, WATER CLOSETS, ETC.

Inspectors shall insist that in all factories and department stores wherein persons of both sexes are employed, there shall be suitable wash and dressing rooms and water closets for males and females. These wash and dressing rooms and the water closets used by females must be well screened and ventilated, always clean and built entirely away from those used by males. A separation by a thin board partition, or by a partition open at the top and said opening extending over the closets used by males and females respectively, is not a compliance with the law.

AS TO NOON HOURS.

Inspectors should notice that the forty-five minute rule for noon-day meals applies to manufacturing establishments only, and will, therefore, not place noon hour permits or exercise any supervision relative to noon-hour meal time in laundries, renovating works, printing offices and mercantile establishments. Where the forty-five minute rule does apply, Inspectors should not issue permits granting a less time for the noon-hour meal unless for urgent cause, and never for a longer period than thirty days. This rule is based solely on reasons applying to the physical necessities of the employes, and is a very good, practical and wholesome one. It will sometimes happen that, for the alleged purpose of insuring a cessation of work at a certain hour at the close of each day, or to insure a full half holiday Saturdays, that certain of the employes will themselves favor a short noon hour. This is not a "good cause" for a suspension of the rule, as it may happen, and is likely to happen in such cases, that a few aggressive employes will dominate, leaving the weaker ones, women and children, to suffer from a relaxation of the rule.

AS TO SANITATION, HEATING, LIGHTING AND VENTILATION.

In the matter of sanitation, lighting and ventilation the law applies to all factories, manufacturing establishments, mercantile houses (large department stores especially), laundries, workshops, renovating

works and printing offices. Except in the case of wash and dressing rooms and water closets in factories and department stores, and the provision made for 250 cubic feet of air supply or area in what are commonly called sweat-shops, the law does not make any specific provision, or lay down any rules by which Inspectors are to be guided in the matter of sanitation, heating, lighting and ventilation. They must, therefore, be guided in great measure by their own good judgment.

Unnecessary offensive odors caused by defective plumbing and drainage, flying dust from grind stones or machinery, which can easily be prevented, exposed electric wires, defectively arranged stoves used for heating purposes, dangerous oil lamps in use where gas or electricity can be supplied in their stead, should, of themselves, suggest changes for the better without any specific legal regulations exacting such changes. Ventilation by windows and doors is, of course, the ordinary method in supplying pure air, but where fans can be used satisfactorily they should be ordered unless a better method of ventilation shall have been or may be provided.

AS TO GUARDING ELEVATORS, ETC.

The law providing for the guarding of hoisting shafts or well holes applies to school buildings, hospitals, hotels, etc., as it does to factories, manufacturing and mercantile establishments, laundries, workshops, renovating works and printing offices.

The term "hoisting shafts" was inserted in the law to meet the captious contentions of those who alleged that elevators did not mean lifts for carrying freight. The ground for the contention having been removed, it will be the duty of the Inspectors to see that all elevators and well holes are properly guarded.

AS TO GUARDING MACHINERY.

Inspectors must rigidly enforce the law relating to the safe-guarding of machinery. Gearing and belting so placed as to easily catch the body or clothing of operators is a menace to life and limb. Automatic shifters, or, when these are not in use, some other device by which belts can be quickly thrown on or off pulleys should be provided. Signal appliances by which the engine may be stopped are not, of themselves, material and proper safeguards in sudden emergencies. Engines cannot be brought to a sudden stop, and it is instant relief which is demanded in nearly every accident. A frequent excuse made for accidents is "carelessness on the part of the person injured." This may be an excuse, but it is not a cause of accidents. It must, in the nature of things, be apparent to every observant mind that youths, newly arrived foreigners and those of advanced years cannot be at all times concentrating their thoughts upon the work before them, and should not be so situated that any little inadvertence or momentary inattention on their part should result in bodily injury. Therefore, the Inspectors should make it their

duty to see that the operatives are protected to the extent that their own absent-mindedness shall not hereafter be made to operate as an excuse for gross negligence on the part of the employer.

Sewing machines operated by steam or electric power should be carefully guarded so that the clothing of the operatives may not catch in the wheels or belts. They should, also, be provided with appliances by which they may be instantly stopped in case of accident.

In factories, workshops and tanneries all vats, pans or other structures containing hot liquids or molten metal should be carefully guarded, and Inspectors will not permit the use of such when so constructed as to easily upset, or where they are sunk below the level of the floor or the ground unless proper provisions shall be made to protect the lives of the operatives.

Stamping mills and planing mills are prolific sources of accidents, the former especially. There are many appliances by which accidents in planing mills and saw mills may be prevented. In properly conducted establishments the Inspectors will see these appliances in use, and will, therefore, insist that similar or as safe appliances shall be used in other planing mills and saw mills.

In stamping mills, where the plungers are set in motion by the hand or foot of the operative, the only protection afforded is constant watchfulness on the part of the operatives. It is imperative, therefore, that Inspectors shall not permit such operatives to be employed overtime, rushed upon piece orders or worked in a dimly lighted room.

AS TO STEAM BOILERS.

For the additional safety of the operatives, Inspectors shall acquaint themselves with the condition of the steam boilers in use in or about the premises inspected. For this purpose they will insist that safety valves with lever attachments shall not be improperly set by extra weights attached thereto, or allow the accustomed weight to be moved along the lever bar to a point which will prevent the escape of steam at the valve at a safety pressure. Where safety valves are incrustated they should be tested at once, for it may be that such valves are worthless, a condition which should be known and reported. At least one steam-guage should be attached to each boiler, and the pipe connections of the guage should connect with the boiler as far above the water line as possible to indicate the exact amount of steam pressure. At least two water-cocks should be attached to each boiler, and the lower water-cock should be not less than two or two and one-half inches above the crown-sheet or other fire surfaces. If placed at a lower point its value as an indicator of low water is worthless, as foaming water will rise above the level of the real body of water and, by its appearance, is likely to deceive the person in charge, and thus lead to serious consequences.

As a matter of fact, boiler explosions are almost invariably due to negligence on the part of the person in charge. Sudden pressure caused by low water followed by an injection of water from the pumps over a super-heated surface, is the cause of ninety per cent. of boiler explosions, it being a rare case where boilers have exploded from a long continued strain of steam pressure.

These suggestions are presented merely as a guide to the Inspectors who cannot be expected to make an actual test of a boiler whilst it is in use. They will, however, be found of practical benefit in determining the character of the person in charge in regard to carefulness, and aid in the forming of an opinion about the inside of the boiler by the external appendages and their condition.

AS TO FIRE-ESCAPES AND FIRE EXTINGUISHERS.

Inspectors should be very observant of the law providing for fire-escapes and fire-extinguishers as laid down in section thirteen of the Factory Law of May 29, 1901. The law does not now include tenement houses except when used as work-shops, as being within the jurisdiction of the Factory Inspector; for which reason Inspectors will not hereafter issue orders to the owners of such houses regarding fire-escapes. But when the law does enjoin a duty in the matter of providing fire-escapes, it should be enforced.

The fire-escapes required by law must be external, open, iron stairways of not more than forty-five degrees slant, steps not less than six inches in width and twenty-four inches in length. The law makes no mention of platforms at each story as forming a part of the fire escape, but the law does enact that all fire-escapes shall be "safe," "permanent," "readily accessible," and "adequate." Platform landings readily reached from each story must, of neces-

sity, if the law is to be observed, form a part of the construction of all external fire-escapes, unless where a better and safer escape is provided. The use of perpendicular ladders is not a compliance with the law. Besides being more dangerous than the evil they are supposed to guard against, such ladders, wherever erected, have, in the past, subjected this Department to severe criticism.

Under the provisions of the law, there shall be at least one external fire-escape for a building capable of accommodating less than one hundred operatives, guests or inmates, and not less than two fire-escapes where the inmate capacity of a building exceeds one hundred.

Unless a building is three or more stories in height the law does not apply, and by the same parity of reasoning which induced the Legislature to except buildings less than three stories from the provisions of the law, buildings exceeding three stories should be safeguarded in proportion to their height and the number of inmates. And, too, it is well that Inspectors should carefully consider the contents of a building, and the nature of the employment as regards inflammability.

Appliances for the extinguishment of fire should be ready for instant and serviceable use in this same class of buildings. Better than means of escape is extinguishment of fire in its incipient stage; for which reason, as well as for the reason that the law commands it, all Inspectors should insist on compliance with this humane and necessary injunction. Leniency extended in the matter of providing proper fire escapes and extinguishers would be criminal.

In cities of the first and second class Inspectors have no jurisdiction as to fire escapes.

AS TO WORKSHOPS CALLED "SWEAT SHOPS."

1.

Tenement and Dwelling Houses.

Persons, firms, or corporations mentioned in section 1, act of 1901, may be classified as follows, viz: Those who give out material to be made or partially made, and those who obligate themselves to take the material for the purpose of making it in whole or in part, and who for this purpose, employ others as operatives in any room, apartment building or part of a building.

2.

Permits.

The latter class shall not have permits granted them to use tenement houses or dwelling houses in which to make or partially make any material the manufacture or partial manufacture of which is forbidden by the act, unless the room shall be in a clean and sanitary condition and fit for occupancy for the work intended.

Inspectors will observe that a room may be clean and sanitary and yet not be suitable for the use intended, and shall govern themselves accordingly in the granting or withholding of permits.

3.

Posting and Revoking Permits.

When a permit shall have been granted, the Inspector shall have the same posted in a conspicuous place in one of the rooms to which it relates as the law demands. He shall also revoke the permit whenever the health of the community or that of the employes may require.

4.

Ventilation.

What is or is not a sufficient means of ventilation shall be determined by the Inspector, as the act does not specify the means or the manner by which workshops are to be ventilated. But where the ordinary means of ventilation, such as windows and doors, and the free circulation of air from outside are wanting, the Inspector should not grant a permit. It will readily be appreciated by the dullest mind that where provision is made by law for 250 cubic feet of air space for each and every person, that the said amount of space unless supplied by fresh, pure air could not insure the protection to health which the law intends.

5.

Condemnation of Clothing.

The power to seize, condemn and destroy relates to clothing only, and not to cigars, cigarettes or purses.

No doubt the law should extend its wise provisions to all articles manufactured or in a state of manufacture in infected workshops, but as it does not, Inspectors will act according to its provisions.

The power to seize, take charge of, condemn and destroy does not imply either a condemnation or destruction of clothing in all cases. Inspectors should not exercise any of these powers upon mere suspicion, or from rumor of infectious or contagious diseases, but should investigate thoroughly before taking action.

Immediately upon the seizure of clothing the inspector shall report his proceedings, with the reasons therefor, to the head of this Department and await instructions before proceeding to condemnation.

6.

Registration.

The class of persons who give out the incomplete material to be wholly or partially finished is the class who must have the permits, granted to persons of the other class, shown to them before contract is made. They shall keep a written register of the names and addresses of all persons to whom such work is given, and this register must be examined by the Inspectors whenever the occasion demands.

Parties who give out work in the first instance are not required to have permits, but those who contract with them for the completion or partial completion of work and all sub-contractors must have permits.

AS TO BAKE SHOPS.

1.

Drainage and Plumbing.

Section second of the Bake Shop Law of 1901 does not prescribe what is proper draining and plumbing, but as power is given by statute to boards of health in cities (and in boroughs having a system of water supply or system of sewerage), to make rules for house drainage, cesspools and registration of plumbers, Inspectors should acquaint themselves with the ordinances in such localities and act according to them. Where no ordinances have been enacted, Inspectors will be governed by the circumstances of each case, always, of course, keeping in view the necessity for good sanitary conditions.

2.

Cellars and Basements.

Cellars and basements used as bakeries before the passage of the act of April 4, 1901, are not subject to the provisions of the Bake Shop Law. This exception does not extend to bake shops located above the cellar or basement, or to those constructed beneath since the act was passed.

3.

Physical Conditions.

The power of enforcing section seven, relating to the physical condition of employes is incumbent upon

the health boards in the several localities. This does not take away from the Factory Inspectors the right and duty of making inspections concerning such physical conditions. Inspectors will, therefore, make proper inquiries, and should any of the operatives be found to be afflicted with any of the diseases enumerated in section seven, they will report such case or cases to the board of health.

4.

Closets, Ash Pits, Etc.

Inspectors shall not permit the use or construction of a wash room, water closet, urinal or ash pit in any bake room or so as to directly communicate with the same.

5.

Sleeping Rooms.

Sleeping rooms of operatives working for themselves or for hire shall not be exempt from inspection when on the same floor as the bakery. Such rooms must be maintained in a cleanly condition. The rooms used for baking or for storing flour or meal products must not be used as sleeping rooms and should be well aired and cleanly.

6.

Floors and Walls.

Inspectors shall enforce the provision requiring tightness of floors and painting or lime-washing of

walls, remembering always that the main purpose of the law is to enforce cleanliness of the premises as well as of the persons employed.

7.

Notices.

The provisions of the Bake Shop Law require that a copy of the law shall be conspicuously posted in each work room of every bread, cake and pie bakery.

8.

Ventilation.

What has been said as to ventilation in other establishments will apply to bakeries.

AS TO HOURS OF LABOR.

The hours of labor apply to adult women and minors only. Adult males are not by this act restricted to twelve hours a day or sixty hours a week.

AS TO FIRST AND SECOND CLASS CITIES.

In cities of the first and second classes the inspection of fire-escapes, boilers and tenement houses is provided for by special laws empowering local officials to enforce the laws' observance. Factory Inspectors in such cities will not, therefore, infringe upon the duties of such officials, though it is not improper to call their attention to any perverse violation of law relative to fire-escapes and boilers.

AS TO ISSUING ORDERS.

Orders to erect fire-escapes, provide fire extinguishers, supply machinery guards, and such important things, must be given in writing.

Verbal orders will suffice in requiring the posting of the laws, notices, and such like things.

AS TO RECEIPTS FOR ORDERS.

When an Inspector shall issue an order for compliance with any of the provisions of the Factory Law, he should obtain a written acknowledgment of the receipt of such order on a duplicate copy thereof, and transmit the same to the Department.

AS TO POSTING LAWS, NOTICES, ETC.

Inspectors will require immediate compliance with their orders to post laws, notices, etc.

To meet this requirement inspectors should carry with them copies of the laws and the necessary blanks.

AS TO PETTY ESTABLISHMENTS.

Mercantile establishments employing less than five persons, none of whom are women or children, need not be inspected unless for some special cause, as the time necessary for such inspections can be used to better advantage in larger establishments where the risk to life and limb is greater.

Employers should not be counted among the number of employes even when working with them.

AS TO PROSECUTIONS.

Prosecution shall not be instituted by an Inspector for a violation of the Factory Laws without the consent of the head of the Department of Factory Inspection first having been obtained.

AS TO ECONOMY.

Inspectors are required to practice becoming economy in all official expenditures.

All necessary supplies will be furnished free by the Department on written requisition made therefor.

Items in the expense account will be approved by the Factory Inspector only when they stand for outlay made in the actual performance of official duty.

Inspectors must not include in their expense account the cost of non-official journeyings, and expenses incident thereto, as such will not be approved.

We remind the inspectors that while the force in the Department has been increased by fifteen there has been no increase in the contingent fund available. This fact is stated, not by way of apology for the foregoing but, as explanatory of the necessity for Departmental care in the matter of expense.

AS TO ANSWERING QUESTIONS.

Inspectors must answer every relevant question on the blank forms. No excuse whatever will be accepted by the Department for failure to comply with this requirement.

AS TO CERTIFYING AFFIDAVITS TO THE AGE OF CHILDREN.

To aid in preventing the illegal employment of minor children, the Inspector shall insist on the production of an authentic certificate of birth or of baptism of the child before certifying to an affidavit as to the age of said child.

AS TO SECURING SIGNATURE OF CHILD ON AFFIDAVIT-CERTIFICATE.

In every case you will require the child to write his or her name in the space provided for it under the signature of parent or guardian on the "Affidavit-Certificate for a Child."

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